

Your Committee, to which this proposal was referred, has amended the proposal to read as follows and recommends its adoption as amended.

CITY COUNTY COUNCIL
CITY OF INDIANAPOLIS-MARION COUNTY, INDIANA

INTRODUCED: 05/17/2010

REFERRED TO: Rules and Public Policy Committee

SPONSOR: Councillors McQuillen, Mansfield and Lutz

DIGEST: amends the Code to add and amend various chapters related to license and permit fees to be collected by the department of code enforcement pursuant to a cost analysis study determining the cost of the services underlying these fees to the department

SOURCE:

Initiated by: Department of Code Enforcement

Drafted by: Adam W. Collins, Assistant Corporation Counsel

LEGAL REQUIREMENTS FOR ADOPTION:

Subject to approval or veto by Mayor

PROPOSED EFFECTIVE DATE:

August 1, 2010

GENERAL COUNSEL APPROVAL: _____

Date: May 12, 2010

CITY-COUNTY GENERAL ORDINANCE NO. _____, 2010

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to add and amend various chapters related to license and permit fees to be collected by the department of code enforcement pursuant to a cost analysis study determining the cost of the services underlying these fees to the department.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sections 131-501 and 131-502 of the "Revised Code of the Consolidated City and County" regarding the schedule of license and permit fees, hereby are amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 131-501. Schedule of license and permit fees.

The following fees are established for their respective licenses and permits issued by the city or county.

<i>Code Section</i>	<i>License or Permit</i>	<i>Fee</i>
391-402	Non-commercial sound truck	\$20.00
441-364	Operation of certain trucks on certain streets	\$2.00 <u>\$82.00</u>
536-209	Additional fee when a building permit is obtained by telephone communication or facsimile machine	\$15.00
536-211	Transfer of building permit	\$50.00 <u>\$49.00</u>

536-602	Construction or placement of, or additions to, Class 2 structures for a primary Class 2 structure	<u>The greater of (a) For structures less than or equal to 1,000 square feet, a minimum fee of one hundred thirty-five dollars (\$135.00), or (b) the product of five cents (\$0.05) per square foot of gross floor area, which one hundred and seventy-six dollars (\$176.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply. Square feet calculation shall include the area of an attached garage or carport and the area of a finished basement or attic, but exclude the area of an unfinished basement or attic</u>
536-602	Accessory Class 2 structure appurtenant to a primary Class 2 structure	<u>The greater of (a) For accessory structures less than or equal to 200 square feet a fee of twenty-one dollars (\$21.00). For accessory structures greater than 200 square feet and less than or equal to 1,000 square feet, a minimum fee of sixty-five dollars (\$65.00), or (b) the product of five cents (\$0.05) per square foot of gross floor area one hundred and twenty-nine dollars (\$129.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
536-602	Construction or placement of, or additions to, Class 1 structures	<u>The greater of (a) For structures less than or equal to 2,500 square feet, a minimum fee of two hundred fifteen dollars (\$215.00) or (b) the product of ten cents (\$0.10) per square foot of gross floor area, each floor, and eighty-three dollars (\$283.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
536-603	Remodeling, alteration, or repair of Class 2 structures; provided, however, that when remodeling, alteration, or repair of a Class 2 structure is accomplished at the same time as an addition to an existing structure, a single permit fee shall be determined according to section 536-602	<u>The greater of (a) For structures less than or equal to 1,000 square feet, a minimum fee of sixty-five dollars (\$65.00), or (b) the lesser product of the following: 1. Fifteen dollars (\$15.00) per one thousand dollars (\$1,000.00) of the total value; or 2. Five cents (\$0.05) per square foot of gross floor area of each floor being remodeled or altered. one hundred and twelve dollars (\$112.00); for each additional 500 square feet, an additional fee of thirty-nine dollars (\$39.00) shall apply</u>
536-603	Remodeling, alteration, or repair of Class 1 structures	<u>The greater of (a) For structures less than or equal to 2,500 square feet, a minimum fee of one hundred twenty dollars (\$120.00), or (b) the lesser product of the following: 1. Fifteen dollars (\$15.00) per one thousand dollars (\$1,000.00) of the total value; or 2. Ten cents (\$0.10) per square foot of gross floor area of each floor being remodeled or altered. one hundred and eighty-nine dollars (\$189.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>

536-604	Installation of a plumbing system in a new <u>Class 2</u> structure or in an addition to an existing Class 1 structure	The greater of (a) For structures less than or equal to 2,500 square feet, a minimum fee of fifty dollars (\$50.00), or (b) fifteen (15) percent of the fee for the building permit (as provided for in section 536-602), which has been obtained for the new structure one hundred and eighteen dollars (\$118.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
<u>536-604</u>	<u>Installation or alteration of a plumbing system in a Class 1 structure</u>	<u>For the first ten (10) fixtures installed, a minimum fee of one hundred and nine dollars (\$109.00); for each additional five (5) fixtures, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
536-604	Alteration, repair or replacement of plumbing in an existing structure or in an addition to an existing Class 2 structure	The greater of (a) For structures less than or equal to 1,000 square feet, a minimum fee of thirty-five dollars (\$35.00), or (b) the product of ten dollars (\$10.00) per one thousand dollars (\$1,000.00) of total value; provided, however, that the plumbing permit fee shall not exceed the structural permit fee (as provided in subsection 536-602(a) or in section 536-603) ninety-four dollars (\$94.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-604	Initial connection or reconnection of plumbing to a structure that has been removed from one (1) location and is being placed at another location or to a factory constructed building	\$40.00 <u>\$87.00</u>
536-604	Plumbing activity limited solely to replacement or installation of one (1) or more water heaters in a structure	The greater of (a) a minimum of twenty five dollars (\$25.00), or (b) the product of ten dollars (\$10.00) per one thousand dollars (\$1,000.00) of total value
536-605	Installation of an electrical power distribution system in a new structure or in an addition to an existing structure other than a Class 2 structure	The greater of (a) For structures less than or equal to 2,500 square feet, a minimum fee of fifty-five dollars (\$55.00), or (b) twenty (20) percent of the fee for the building permit (as provided for in section 536-602), which has been obtained for the new structure or addition one hundred and twenty-eight dollars (\$128.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply

536-605	Repair, alteration or remodeling of an electrical power distribution system in an existing structure, or in an addition to a Class 2 structure	The greater of (a) For structures less than or equal to 1000 square feet, a minimum fee of thirty-five dollars (\$35.00), or (b) the product of ten dollars (\$10.00) per one thousand dollars (\$1,000.00) total value; provided, however, that when documentation submitted prior to the issuance of a permit indicates that the value to the structural work is greater than or equal to the value of the electrical work, the electrical permit fee shall not exceed the structural permit fee (as provided for in section 536-602(a)) <u>one hundred and two dollars (\$102.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
536-605	Installation or replacement of space heating equipment using electricity as its primary source of energy	The greater of (a) For structures or affected areas less than or equal to 10,000 square feet, a minimum fee of thirty-five dollars (\$35.00), or (b) the product of twenty-five cents (\$0.25) per each one thousand (1,000) Btuh of output capacity up to the first one million two hundred thousand (1,200,000) Btuh and fifteen cents (\$0.15) per each additional one thousand (1,000) Btuh <u>ninety dollars (\$90.00); for each additional 2,500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
536-605	Installation or replacement of space cooling equipment using electricity as its primary source of energy	The greater of (a) For structures or affected areas less than or equal to 10,000 square feet, a minimum fee of thirty-five dollars (\$35.00), or (b) the product of thirty-five cents (\$0.35) per one thousand (1,000) Btuh of output capacity up to the first six hundred thousand (600,000) Btuh, and fifteen cents (\$0.15) per each additional one thousand (1,000) Btuh <u>ninety dollars (\$90.00); for each additional 2,500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
536-605	Installation or replacement of combined space heating and space cooling equipment using electricity as their primary source of energy	The greater of (a) For structures or affected areas less than or equal to 10,000 square feet, a minimum fee of forty dollars (\$40.00), or (b) seventy (70) percent of the sum of both general rates provided above in subsection 536-605(c)(2) and (d)(2) as they are applied to the heating output capacity and cooling output capacity, respectively, of the combined space equipment <u>one hundred and nine dollars (\$109.00); for each additional 2,500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
536-605	Initial connection or reconnection of electrical power to a structure that has been removed from one (1) location and is being placed at another location or to a factory constructed building	\$40.00 <u>\$65.00</u>

536-605	Installation, alteration, replacement or repair of a system distributing electrical power to service equipment supplying power to manufactured home located in a manufactured home park	The greater of (a) a minimum fee of forty dollars (\$40.00), or (b) ten dollars (\$10.00) per service equipment assembly located on property owned by the same person, partnership or corporation and available for inspection at one (1) time \$269.00
536-605	Obtaining each "electrical craft work certificate of compliance" form, as allowed in subsection 536-404(b)	\$15.00 <u>\$18.00</u>
536-606	Installation, replacement, or addition of a heating system, space heating equipment or other types of heating transfer, or installation, replacement, alteration, or addition of duct work only	The greater of (a) For structures or affected areas less than or equal to 2,500 square feet, a minimum fee of forty dollars (\$40.00), or (b) the product of twenty-five cents (\$0.25) per each one thousand (1,000) Btuh of input capacity up to the first one million two hundred thousand (1,200,000) Btuh, and fifteen cents (\$0.15) per additional one thousand (1,000) Btuh ninety-seven dollars (\$97.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-606	Installation, addition or replacement of a cooling system, space cooling equipment, or other types of cooling transfer, or installation, replacement, alteration, or addition to duct work only	The greater of (a) For structures or affected areas less than or equal to 2,500 square feet, a minimum fee of forty dollars (\$40.00), or (b) the product of thirty-five cents (\$0.35) per each one thousand (1,000) Btuh of input capacity up to the first six hundred thousand (600,000) Btuh, and fifteen cents (\$0.15) per additional one thousand (1,000) Btuh ninety-seven dollars (\$97.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-606	Installation, replacement, or addition of combined heating systems and cooling systems, combined space heating equipment and space cooling equipment, or other types of heating or cooling transfer, or installation, replacement, alteration, or addition of duct work only	The greater of (a) For structures or affected areas less than or equal to 2,500 square feet, a minimum fee of fifty dollars (\$50.00), or (b) seventy (70) percent of the sum of both general rates provided above in subsection 536-606(a)(1)b and 536-606(b)(1)b as they are applied to the heating input capacity and cooling input capacity, respectively, of the combined systems one hundred and eighteen dollars (\$118.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-606	Refrigeration equipment	The greater of (a) a minimum of forty dollars (\$40.00), or (b) the product of thirty-five cents (\$0.35) per one thousand (1,000) Btuh of input capacity up to the first sixty thousand (60,000) Btuh and fifteen cents (\$0.15) per each additional one thousand (1,000) Btuh \$98.00
536-607	Demolition or removal of primary Class 2 structures located on the same premises	If no building has more than two (2) stories above grade, the base fee is sixty-five dollars (\$65.00); and for each additional story of tallest building over two (2) stories, add twenty-five dollars (\$25.00) \$96.00

536-607	Demolition or removal of accessory Class 2 structure	\$40.00 <u>\$67.00</u>
536-607	Demolition or removal of Class 1 structures with ground floor area up to two thousand (2,000) of less than two thousand and five hundred (2,500) square feet	\$70.00 for each one (1) story Class 1 structure; for each additional story over one (1) story, add fifty (50) percent of the ground floor area fee <u>\$106.00</u>
536-607	Demolition or removal of Class 1 structures Ground with ground floor area up to four thousand (4,000) equal to or greater than two thousand and five hundred (2,500) square feet, but less than five thousand (5,000) square feet	\$135.00 for each one (1) story Class 1 structure; for each additional story over one (1) story, add fifty (50) percent of the ground floor area fee <u>\$167.00</u>
536-607	Demolition or removal of Class 1 structures with ground floor area up to equal to or greater than five thousand (5,000) square feet, but less than ten thousand (10,000) square feet	\$200.00 for each one (1) story Class 1 structure; for each additional story over one (1) story, add fifty (50) percent of the ground floor area fee <u>\$216.00</u>
536-607	Demolition or removal of Class 1 structures with ground floor area up to twenty thousand (20,000) equal to or greater than ten thousand (10,000) square feet	\$285.00 for each one (1) story Class 1 structure; for each additional story over one (1) story, add fifty (50) percent of the ground floor area fee <u>\$289.00</u>
536-607	Demolition or removal of Class 1 structures with ground floor area over twenty thousand (20,000) square feet	\$560.00 for each one (1) story Class 1 structure; for each additional story over one (1) story, add fifty (50) percent of the ground floor area fee
536-607	Demolition or removal of smokestacks, aboveground storage tanks, overhead hoppers, or other similar structures	\$160.00 <u>\$228.00</u>
536-608	Master permit	The sum of the applicable fees (calculated according to the fees assigned in this section to sections 536-602, 536-603, 536-605, 536-606, and 536-607) for the structural and craft work for which the master permit is issued
<u>536-609</u>	<u>Administrative fee</u>	<u>\$215.00</u>
<u>536-610</u>	<u>General service activity permit fee</u>	<u>\$45.00</u>
536-612	General construction permit, where not adequately specified by this section or other sections of chapter 536 by chapters 536 or 131 of this code	The greater of (a) forty dollars (\$40.00) if for residential or fifty dollars (\$50.00) if for anything other than residential, or (b) ten dollars (\$10.00) per one thousand dollars (\$1,000.00) of total value <u>\$105.00 for Class 1 structures; and \$95.00 for Class 2 structures</u>
536-615	Amendment of a building permit that requires submittal of additional plans, but does not cause the building permit fee to increase	\$50.00 <u>\$53.00</u>
536-616	Building permit renewal after expiration	\$50.00 <u>\$53.00</u>

536-619	Additional service fee for applying for all demolition, master, sign, structural, and infrastructure related permits	\$25.00 <u>\$29.00</u>
536-620	Plan review of a primary or accessory Class 2 structure that is less than two thousand (2,000) square feet	\$25.00
536-620	Plan review of a primary or accessory Class 2 structure that is two thousand (2,000) square feet or more. Review includes appropriate structural and mechanical plan review	\$50.00 <u>Sixty-seven dollars (\$67.00) for structures less than 1,000 square feet. For each additional 500 square feet an additional fee of twenty-one dollars (\$21.00)</u>
536-620	Plan review of a Class 1 structure that is less than two thousand five hundred (2,500) square feet structures. Review includes appropriate structural and mechanical plan review	\$125.00 base fee, provided that <u>Two hundred and thirty-six dollar (\$236.00) initial fee; review time in excess of one (1) hour three (3) hours shall be billed at a rate of seventy-five dollars (\$75.00) ninety-one dollars (\$91.00) per hour in addition to the base initial fee</u>
536-620	Plan review of a Class 1 structure that is two thousand five hundred (2,500) square feet or more but less than five thousand (5,000) square feet	\$175.00 base fee, provided that review time in excess of two (2) hours shall be billed at <u>seventy-five dollars (\$75.00) per hour in addition to the base fee</u>
536-620	Plan review of a Class 1 structure that is five thousand (5,000) square feet or more but less than ten thousand (10,000) square feet	\$225.00 base fee, provided that review time in excess of three (3) hours shall be billed at <u>seventy-five dollars (\$75.00) per hour in addition to the base fee</u>
536-620	Plan review of a Class 1 structure that is ten thousand (10,000) square feet or more	\$300.00 base fee, provided that review time in excess of four (4) hours shall be billed at <u>seventy-five dollars (\$75.00) per hour in addition to the base fee</u>
<u>536-620</u>	<u>Accelerated plan review of Class 1 structures. Review includes appropriate structural and mechanical plan review</u>	<u>\$316.00 per hour</u>
575-7	Administrative fee for abatement of environmental public nuisance	\$226.00 <u>\$288.00</u>
601-8	Operation of sanitary landfill	\$100.00 <u>\$269.00</u>
645-548	Right-of-way <u>Transfer of right-of-way overhead or subsurface use permit</u>	A minimum of \$5.00, plus additional fees varying from a minimum of \$10.00 to a maximum of \$200.00 <u>\$26.00</u>
645-579	Encroachment	\$100.00 <u>\$230.00</u>
671-22	Extension, amendment, or transfer of sewer connection permit	\$30.00 <u>\$43.00</u>
671-22	Amendment of sewer connection permit	\$30.00
671-22	Transfer of sewer connection permit	\$30.00
671-122	Private disposal facility	\$100.00
671-159	Extension of sanitary sewer construction permit	\$30.00 <u>\$43.00</u>

671-167	Amendment of sanitary sewer construction permit	\$30.00 <u>\$43.00</u>
671-170	Transfer of a sanitary sewer construction permit	\$30.00 <u>\$43.00</u>
<u>801-310</u>	<u>Administrative fee – licensing</u>	<u>\$215.00</u>
807-203	Adult entertainment business	\$75.00 <u>\$226.00</u>
<u>811-213</u>	<u>Alarm business</u>	<u>\$250.00</u>
831-2	Amusement location	\$20.00 <u>\$114.00</u>
836-2	Kennel, pet shop, or stable	\$25.00 <u>\$113.00</u>
875-701	Listing <u>New listing or license for a sole proprietor, partnership or corporation as a general contractor, or for licensing a person, sole proprietor, partnership or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor: – new listing or license</u>	\$395.00 <u>\$321.00 for a business entity; and \$386.00 for an individual</u>
875-701	Listing <u>Renewal of a listing or license for a sole proprietor, partnership or corporation as a general contractor, or for licensing a person, sole proprietor, partnership or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor: – renewal of listing or license</u>	\$315.00 <u>\$281.00</u>
875-701	Listing a sole proprietor, partnership or corporation as a general contractor, or for licensing a person, sole proprietor, partnership or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor: new listing or license that has a duration for a period from three hundred sixty-five (365) days to five hundred forty-eight (548) days	<u>\$295.00</u>
875-701	Listing a sole proprietor, partnership or corporation as a general contractor, or for licensing a person, sole proprietor, partnership or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor: new listing or license that has a duration from one (1) to three hundred sixty-four (364) days	<u>\$200.00</u>

875-701	Registration of state licensed plumbing contractors who are sole proprietors, and individuals within a corporation who are eligible to secure permits: new registration	\$160.00 <u>\$151.00</u>
875-701	Registration of state licensed plumbing contractors who are sole proprietors, and individuals within a corporation who are eligible to secure permits: renewal of registration	\$125.00
875-701	Registration of state licensed plumbing contractors who are sole proprietors, and individuals within a corporation who are eligible to secure permits: new registration that has a duration from three hundred sixty-five (365) days to five hundred forty-eight (548) days	\$120.00
875-701	Registration of state licensed plumbing contractors who are sole proprietors, and individuals within a corporation who are eligible to secure permits: New registration that has a duration from one (1) to three hundred sixty-four (364) days	\$80.00
875-701	Additional names of persons eligible to secure permits for a contractor	\$65.00 <u>\$64.00</u>
881-7	Dance permit	\$75.00 <u>\$142.00</u>
881-7	Annual dance license	\$80.00 <u>\$208.00</u>
886-8	Fire extinguisher service company	\$25.00 <u>\$116.00</u>
895-1	Horse-drawn carriage	\$20.00 <u>\$63.00</u>
901-3	Hotel	\$20.00 <u>\$156.00</u>
903-102	Pedal cabs	\$20.00 <u>\$45.00</u>
909-103	Lobbyist	\$100.00
911-6	Massage parlor, bathhouse, escort service, body painting studio or nude modeling studio	\$250.00 <u>\$285.00</u>
911-6	Massage therapist, escort, body painting model or nude model	\$25.00 <u>\$64.00</u>
931-201	Commercial parking facility	\$20.00 <u>\$114.00</u>
936-2	Public pay telephone	\$52.00 <u>\$67.00</u>
951-104	Pawnbroker	\$200.00 <u>\$260.00</u> for each place of business of licensee
951-301	Secondhand motor vehicle business	\$20.00
951-404	Dealers in salvage or scrap metal	\$200.00 <u>\$384.00</u> for each place of business of licensee

955-1	Trash hauling	\$20.00 <u>\$153.00</u>
961-204	Vendor cart in franchise zone <u>or</u> <u>commercial franchise zone</u>	\$150.00 <u>\$125.00</u>
961-204	Vendor cart in commercial franchise zone	\$100.00
961-205	Vendor cart in franchise zone — renewal	\$100.00
961-205	Vendor cart in commercial franchise zone — renewal	\$50.00
961-209	Vendor cart transfer	\$25.00 <u>\$47.00</u>
961-303	Vendor cart franchise zone drawing	\$25.00 <u>\$33.00</u>
<u>961-503</u>	<u>Special event – application fee</u>	<u>\$16.00</u>
961-503	Special event	\$25.00
961-503	Special event requiring fire department personnel or apparatus	\$100.00
961-702	Sidewalk café	\$169.00
987-102	Transient merchant	\$20.00 <u>\$71.00</u>
996-25	Taxicab operator	\$20.00 <u>\$40.00</u>
996-47	Public vehicle for hire – <u>per vehicle</u>	\$100.00 <u>\$154.00</u>

Sec. 131-502. Schedule of inspection fees.

The following fees are established for their respective inspections conducted by the city or county.

<i>Code Section</i>	<i>Inspection</i>	<i>Fee</i>
536-503	Building inspection of premises upon which municipally licensed activities are to be carried out (initial inspection and annual reinspection)	\$85.00
536-503	Fire inspection of premises upon which municipally licensed activities are to be carried out (initial inspection and annual reinspection)	\$84.00
536-609	Building and construction administrative fee	\$125.00
536-612	General construction inspection, where not adequately specified by this section or other sections of chapter 536 by chapters 536 or 131 of this code	The greater of (a) forty dollars (\$40.00) if for residential or fifty dollars (\$50.00) if for anything other than residential, or (b) ten dollars (\$10.00) per one thousand dollars (\$1,000.00) of total value <u>\$100.00</u>
536-617	Accelerated inspection option for a same day inspection	\$150.00 <u>\$232.00</u>
536-617	Accelerated inspection option for a next day inspection	\$100.00 <u>\$187.00</u>
536-617	Accelerated inspection option for a next day inspection at a scheduled time	\$150.00 <u>\$245.00</u>

536-617	Accelerated inspection option for a weekday after 5:00 p.m. or weekend inspection	\$400.00 <u>\$348.00</u>
996-47	Public vehicle for hire	\$65.00 for an initial inspection of the taxicab and, if the initial inspection reveals that the taxicab does not comply with the motor vehicle equipment requirements of IC 9-19 and section 996-123 of the Code, \$35.00 for any subsequent inspection

SECTION 2. Sections 131-501 and 131-502 of the "Revised Code of the Consolidated City and County" regarding the schedule of license and permit fees and schedule of inspection fees, respectively, hereby are amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 131-501. Schedule of license and permit fees.

The following fees are established for their respective licenses and permits issued by the city or county.

<u>Code Section</u>	<u>License or Permit</u>	<u>Fee</u>
441-364	<u>Operation of certain trucks on certain streets</u>	\$82.00 <u>\$162.00</u>
536-211	<u>Transfer of building permit</u>	\$49.00 <u>\$48.00</u>
536-602	<u>Construction or placement of, or additions to, Class 2 structures for a primary Class 2 structure</u>	For structures less than or equal to 1,000 square feet, a minimum fee of one hundred and seventy-six dollars (\$176.00) <u>two hundred and seventeen dollars (\$217.00)</u> ; for each additional 500 square feet, an additional fee of <u>twenty-three dollars (\$23.00)</u> shall apply. <u>Square feet calculation shall include the area of an attached garage or carport and the area of a finished basement or attic, but exclude the area of an unfinished basement or attic</u>
536-602	<u>Accessory Class 2 structure appurtenant to a primary Class 2 structure</u>	For accessory structures less than or equal to 200 square feet a fee of twenty-one dollars (\$21.00) <u>forty-two dollars (\$42.00)</u> . For accessory structures greater than 200 square feet and less than or equal to 1,000 square feet, a minimum fee of one hundred and twenty-nine dollars (\$129.00) <u>one hundred and ninety-three dollars (\$193.00)</u> ; for each additional 500 square feet, an additional fee of <u>twenty-three dollars (\$23.00)</u> shall apply
536-602	<u>Construction or placement of, or additions to, Class 1 structures</u>	For structures less than or equal to 2,500 square feet, a minimum fee of two hundred and eighty-three dollars (\$283.00) <u>three hundred and fifty-one dollars (\$351.00)</u> ; for each additional 1,000 square feet, an additional fee of <u>twenty-three dollars (\$23.00)</u> shall apply

<u>536-603</u>	<u>Remodeling, alteration, or repair of Class 2 structures; provided, however, that when remodeling, alteration, or repair of a Class 2 structure is accomplished at the same time as an addition to an existing structure, a single permit fee shall be determined according to section 536-602</u>	<u>For structures less than or equal to 1,000 square feet, a minimum fee of one hundred and twenty fifty-nine dollars (\$112.00) (\$159.00); for each additional 500 square feet, an additional fee of thirty-nine dollars (\$39.00) shall apply</u>
<u>536-603</u>	<u>Remodeling, alteration, or repair of Class 1 structures</u>	<u>For structures less than or equal to 2,500 square feet, a minimum fee of one hundred and eighty-nine dollars (\$189.00) two hundred and fifty-seven dollars (\$257.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
<u>536-604</u>	<u>Installation of a plumbing system in a new Class 2 structure</u>	<u>For structures less than or equal to 2,500 square feet, a minimum fee of one hundred and eighteen eighty-five dollars (\$118.00) (\$185.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
<u>536-604</u>	<u>Installation or alteration of a plumbing system in a Class 1 structure</u>	<u>For the first ten (10) fixtures installed, a minimum fee of one hundred and nine eighty-two dollars (\$109.00) (\$182.00); for each additional five (5) fixtures, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
<u>536-604</u>	<u>Alteration, repair or replacement of plumbing in an existing Class 2 structure</u>	<u>For structures less than or equal to 1,000 square feet, a minimum fee of ninety-four one hundred and fifty-three dollars (\$94.00) (\$153.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
<u>536-604</u>	<u>Initial connection or reconnection of plumbing to a structure that has been removed from one (1) location and is being placed at another location or to a factory constructed building</u>	<u>\$87.00 \$134.00</u>
<u>536-605</u>	<u>Installation of an electrical power distribution system in a new structure or in an addition to an existing structure other than a Class 2 structure</u>	<u>For structures less than or equal to 2,500 square feet, a minimum fee of one hundred and twenty-eight dollars (\$128.00) two hundred and two dollars (\$202.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
<u>536-605</u>	<u>Repair, alteration or remodeling of an electrical power distribution system in an existing structure, or in an addition to a Class 2 structure</u>	<u>For structures less than or equal to 1000 square feet, a minimum fee of one hundred and two sixty-nine dollars (\$102.00) (\$169.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
<u>536-605</u>	<u>Installation or replacement of space heating equipment using electricity as its primary source of energy</u>	<u>For structures or affected areas less than or equal to 10,000 square feet, a minimum fee of ninety one hundred and forty-six dollars (\$90.00) (\$146.00); for each additional 2,500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>

<u>536-605</u>	<u>Installation or replacement of space cooling equipment using electricity as its primary source of energy</u>	<u>For structures or affected areas less than or equal to 10,000 square feet, a minimum fee of ninety one hundred and forty-six dollars (\$90.00) (\$146.00); for each additional 2,500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
<u>536-605</u>	<u>Installation or replacement of combined space heating and space cooling equipment using electricity as their primary source of energy</u>	<u>For structures or affected areas less than or equal to 10,000 square feet, a minimum fee of one hundred and nine seventy-eight dollars (\$109.00) (\$178.00); for each additional 2,500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
<u>536-605</u>	<u>Initial connection or reconnection of electrical power to a structure that has been removed from one (1) location and is being placed at another location or to a factory constructed building</u>	<u>\$65.00 \$89.00</u>
<u>536-605</u>	<u>Installation, alteration, replacement or repair of a system distributing electrical power to service equipment supplying power to manufactured home located in a manufactured home park</u>	<u>\$269.00 \$498.00</u>
<u>536-605</u>	<u>Obtaining each "electrical craft work certificate of compliance" form, as allowed in subsection 536-404(b)</u>	<u>\$18.00 22.00</u>
<u>536-606</u>	<u>Installation, replacement, or addition of a heating system, space heating equipment or other types of heating transfer, or installation, replacement, alteration, or addition of duct work only</u>	<u>For structures or affected areas less than or equal to 2,500 square feet, a minimum fee of ninety-seven one hundred and fifty-three dollars (\$97.00) (\$153.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
<u>536-606</u>	<u>Installation, addition or replacement of a cooling system, space cooling equipment, or other types of cooling transfer, or installation, replacement, alteration, or addition to duct work only</u>	<u>For structures or affected areas less than or equal to 2,500 square feet, a minimum fee of ninety-seven one hundred and fifty-three dollars (\$97.00) (\$153.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
<u>536-606</u>	<u>Installation, replacement, or addition of combined heating systems and cooling systems, combined space heating equipment and space cooling equipment, or other types of heating or cooling transfer, or installation, replacement, alteration, or addition of duct work only</u>	<u>For structures or affected areas less than or equal to 2,500 square feet, a minimum fee of one hundred and eighteen eighty-five dollars (\$118.00) (\$185.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply</u>
<u>536-606</u>	<u>Refrigeration equipment</u>	<u>\$98.00 \$156.00</u>
<u>536-607</u>	<u>Demolition or removal of primary Class 2 structures located on the same premises</u>	<u>\$96.00 \$127.00</u>
<u>536-607</u>	<u>Demolition or removal of accessory Class 2 structure</u>	<u>\$67.00 \$94.00</u>

<u>536-607</u>	<u>Demolition or removal of Class 1 structures with ground floor area of less than two thousand and five hundred (2,500) square feet</u>	<u>\$106.00 \$141.00</u>
<u>536-607</u>	<u>Demolition or removal of Class 1 structures with ground floor area equal to or greater than two thousand and five hundred (2,500) square feet, but less than five thousand (5,000) square feet</u>	<u>\$167.00 \$199.00</u>
<u>536-607</u>	<u>Demolition or removal of Class 1 structures with ground floor area equal to or greater than five thousand (5,000) square feet, but less than ten thousand (10,000) square feet</u>	<u>\$216.00 \$231.00</u>
<u>536-607</u>	<u>Demolition or removal of Class 1 structures with ground floor area equal to or greater than ten thousand (10,000) square feet</u>	<u>\$289.00 \$292.00</u>
<u>536-607</u>	<u>Demolition or removal of smokestacks, aboveground storage tanks, overhead hoppers, or other similar structures</u>	<u>\$228.00 \$296.00</u>
<u>536-608</u>	<u>Master permit</u>	<u>The sum of the applicable fees</u>
<u>536-609</u>	<u>Administrative fee</u>	<u>\$215.00</u>
<u>536-610</u>	<u>General service activity permit fee</u>	<u>\$45.00 \$89.00</u>
<u>536-612</u>	<u>General construction permit, where not specified by chapters 536 or 131 of this code</u>	<u>\$105.00 \$170.00 for Class 1 structures; and \$95.00 \$141.00 for Class 2 structures</u>
<u>536-615</u>	<u>Amendment of a building permit that requires submittal of additional plans</u>	<u>\$53.00 \$101.00</u>
<u>536-616</u>	<u>Building permit renewal after expiration</u>	<u>\$53.00 \$56.00</u>
<u>536-619</u>	<u>Additional service fee for applying for all demolition, master, sign, structural, and infrastructure related permits</u>	<u>\$29.00 \$32.00</u>
<u>536-620</u>	<u>Plan review of a primary or accessory Class 2 structure. Review includes appropriate structural and mechanical plan review</u>	<u>Sixty-seven Eighty-five dollars (\$67.00) (\$85.00) for structures less than 1,000 square feet. For each additional 500 square feet an additional fee of twenty-one dollars (\$21.00)</u>
<u>536-620</u>	<u>Plan review of Class 1 structures. Review includes appropriate structural and mechanical plan review</u>	<u>Two hundred and thirty-six dollar (\$236.00) Three hundred and forty-six dollar (\$346.00) initial fee; review time in excess of three (3) hours shall be billed at a rate of ninety-one dollars (\$91.00) per hour in addition to the initial fee</u>
<u>536-620</u>	<u>Accelerated plan review of Class 1 structures. Review includes appropriate structural and mechanical plan review</u>	<u>\$316.00 per hour</u>

<u>575-7</u>	<u>Administrative fee for abatement of environmental public nuisance</u>	<u>\$288.00</u>
<u>601-8</u>	<u>Operation of sanitary landfill</u>	\$269.00 <u>\$437.00</u>
<u>645-548</u>	<u>Transfer of right-of-way overhead or subsurface use permit</u>	\$26.00 <u>\$48.00</u>
<u>645-579</u>	<u>Encroachment</u>	\$230.00 <u>\$360.00</u>
<u>671-22</u>	<u>Extension, amendment, or transfer of sewer connection permit</u>	\$43.00 <u>\$56.00</u>
<u>671-122</u>	<u>Private disposal facility</u>	<u>\$100.00</u>
<u>671-159</u>	<u>Extension of sanitary sewer construction permit</u>	\$43.00 <u>\$56.00</u>
<u>671-167</u>	<u>Amendment of sanitary sewer construction permit</u>	\$43.00 <u>\$56.00</u>
<u>671-170</u>	<u>Transfer of sanitary sewer construction permit</u>	\$43.00 <u>\$56.00</u>
<u>801-310</u>	<u>Administrative fee – licensing</u>	<u>\$215.00</u>
<u>807-203</u>	<u>Adult entertainment business</u>	\$226.00 <u>\$377.00</u>
<u>811-213</u>	<u>Alarm business</u>	<u>\$250.00</u>
<u>831-2</u>	<u>Amusement location</u>	\$114.00 <u>\$207.00</u>
<u>836-2</u>	<u>Kennel, pet shop, or stable</u>	\$113.00 <u>\$200.00</u>
<u>875-701</u>	<u>New listing or license for a sole proprietor, partnership or corporation as a general contractor, or for licensing a person, sole proprietor, partnership or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor</u>	\$321.00 <u>\$247.00 for a business entity; and \$386.00 \$377.00 for an individual</u>
<u>875-701</u>	<u>Renewal of a listing or license for a sole proprietor, partnership or corporation as a general contractor, or for licensing a person, sole proprietor, partnership or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor</u>	\$281.00 <u>\$247.00</u>
<u>875-701</u>	<u>Registration of state licensed plumbing contractors who are sole proprietors, and individuals within a corporation who are eligible to secure permits</u>	\$151.00 <u>\$142.00</u>
<u>875-701</u>	<u>Additional names of persons eligible to secure permits for a contractor</u>	\$64.00 <u>\$63.00</u>
<u>881-7</u>	<u>Dance permit</u>	\$142.00 <u>\$209.00</u>
<u>881-7</u>	<u>Annual dance license</u>	\$208.00 <u>\$335.00</u>
<u>886-8</u>	<u>Fire extinguisher service company</u>	\$116.00 <u>\$207.00</u>

895-1	Horse-drawn carriage	\$63.00 \$105.00
901-3	Hotel	\$156.00 \$291.00
903-102	Pedal cabs	\$45.00 \$70.00
909-103	Lobbyist	\$100.00
911-6	Massage parlor, bathhouse, escort service, body painting studio or nude modeling studio	\$285.00 \$319.00
911-6	Massage therapist, escort, body painting model or nude model	\$64.00 \$103.00
931-201	Commercial parking facility	\$114.00 \$207.00
936-2	Public pay telephone	\$67.00 \$81.00
951-104	Pawnbroker	\$260.00 \$320.00 for each place of business of licensee
951-404	Dealers in salvage or scrap metal	\$384.00 \$568.00 for each place of business of licensee
955-1	Trash hauling	\$153.00 \$286.00
961-204	Vendor cart in franchise zone or commercial franchise zone	\$125.00 \$99.00
961-209	Vendor cart transfer	\$47.00 \$69.00
961-303	Vendor cart franchise zone drawing	\$33.00 \$40.00
961-503	Special event – application fee	\$16.00 \$32.00
961-503	Special event	\$25.00
961-503	Special event requiring fire department personnel or apparatus	\$100.00
987-102	Transient merchant	\$71.00 \$121.00
996-25	Taxicab operator	\$40.00 \$59.00
996-47	Public vehicle for hire – per vehicle	\$154.00 \$208.00

Sec. 131-502. Schedule of inspection fees.

The following fees are established for their respective inspections conducted by the city or county.

<u>Code Section</u>	<u>Inspection</u>	<u>Fee</u>
536-503	Building inspection of premises upon which municipally licensed activities are to be carried out (initial inspection and annual reinspection)	\$85.00 \$84.00
536-503	Fire inspection of premises upon which municipally licensed activities are to be carried out (initial inspection and annual reinspection)	\$84.00
536-612	General construction inspection, where not specified by chapters 536 or 131 of this code	\$100.00 \$154.00

<u>536-617</u>	<u>Accelerated inspection option for a same day inspection</u>	<u>\$232.00</u>
<u>536-617</u>	<u>Accelerated inspection option for a next day inspection</u>	<u>\$187.00</u>
<u>536-617</u>	<u>Accelerated inspection option for a next day inspection at a scheduled time</u>	<u>\$245.00</u>
<u>536-617</u>	<u>Accelerated inspection option for a weekday after 5:00 p.m. or weekend inspection</u>	<u>\$348.00</u>
<u>996-47</u>	<u>Public vehicle for hire</u>	<u>\$65.00 for an initial inspection of the taxicab and, if the initial inspection reveals that the taxicab does not comply with the motor vehicle equipment requirements of IC 9-19 and section 996-123 of the Code, \$35.00 for any subsequent inspection</u>

SECTION 2 3. Section 103-52 of the “Revised Code of the Consolidated City and County” regarding the schedule of pre-payable penalties for ordinance violations, hereby is amended by the addition of the language that is underscored, to read as follows:

Sec. 103-52. Schedule of Code provisions and penalties.

The following Code (or ordinance) provisions and their respective civil penalties are designated for enforcement through the ordinance violations bureau:

<i>Code Section</i>	<i>Subject Matter</i>	<i>Civil Penalty</i>
293-321	Failure to file economic statement of interest--First offense	50.00
321-1	Swimming in unguarded waters - first offense in calendar year	50.00
361-108	Littering on premises of another	45.00
361-201	Vehicle losing its load--First offense in calendar year	50.00
391-302	Unlawful noise--First offense in calendar year	50.00
407-103	Loitering--First offense in calendar year	50.00
407-201	Unlawful fireworks use, ignition or discharge--First offense	\$100.00
431-108	Parking prohibited for street repairs and cleaning	20.00
431-314	Premises address violation--Second offense in calendar year	25.00
431-602	Bicycles--Second and subsequent violations regarding children under twelve	50.00
431-603	Unlawful operation of bicycle--First violation	50.00
431-702	Prohibited activity in roadways--First violation in twelve-month period	25.00
431-703	Interference with vehicular traffic--First violation in twelve-month period	25.00
441-108	Pedestrian violations	12.50
441-214	Parking when temporarily prohibited	20.00
441-318	Unlawful use of horn or sounding device	15.00

441-363	Unlawfully parked trailer	20.00
441-407	Display of unauthorized traffic controls	15.00
441-408	Interference with traffic control devices	15.00
441-503	Consumption or possession by operator of motor vehicle--First offense in calendar year	50.00
441-504	Operating motor vehicle containing open alcoholic beverages--First offense in calendar year	50.00
511-702	Open burning	50.00
531-102	Animal at large--First offense in twelve-month period	50.00
531-202	No dog or cat permanent identification--First offense	50.00
531-202	No dog or cat permanent identification--Second and subsequent offenses	100.00
531-301	No dog or cat antirabies vaccination--First offense	100.00
531-302	No antirabies vaccination tag on dog or cat--First offense in twelve-month period	25.00
531-302	No antirabies vaccination record for feral cat colony--First offense in twelve-month period	25.00
611-403	Unlawful loading or unloading of private bus	15.00
611-501	Unlawful stopping of food vendor vehicle	15.00
611-502	Violation of noise restriction on food vendors	15.00
611-504	Failure of food vending vehicle to display required warnings	15.00
611-506	Unlawful vending from other than curbside of vending vehicle	15.00
621-106	Unlawful parking on sidewalk, in crosswalk, or adjacent yard	25.00
621-107	Unlawful parking in certain school areas	20.00
621-108	Unlawful manner of parking	20.00
621-109	No required lights on certain parked vehicles	20.00
621-110	Violation of handicapped parking restrictions	100.00
621-111	Unlawful parking in handicapped parking meter zone	100.00
621-112	Unloading perpendicular to curb without permit	20.00
621-113	Unlawful use of bus stops and taxicab stands	20.00
621-114	Unlawful use of passenger and loading zones	20.00
621-115	Unlawful parking adjacent to certain buildings	20.00
621-116	Unlawful parking for display for sale or advertising	20.00
621-117	Unlawful parking for more than six (6) hours	20.00
621-118	Unlawful parking of commercial vehicles at night	20.00
621-119	Unlawful parking in alleys or on certain narrow streets	20.00
621-120	Unlawful parking in designated special parking areas	20.00
621-121	Parking on certain streets where prohibited at all times	20.00
621-122	Stopping, standing or parking on streets where prohibited at all times	20.00

621-123	Parking on certain streets where prohibited at all times on certain days	20.00
621-124	Parking on certain streets when prohibited at certain times on certain days	20.00
621-125	Stopping, standing or parking during prohibited hours on certain days on certain streets	25.00
621-126	Parking longer than permitted on certain streets at certain times on certain days	20.00
621-127	Unlawful outdoor storage of inoperable motor vehicle--First offense in a twelve-month period	50.00
621-127	Unlawful outdoor storage of inoperable motor vehicle--Second offense in a twelve-month period	250.00
621-203	Parking in excess of time permitted in parking meter zone	20.00
621-210	Parking in meter zone when temporarily prohibited	20.00
621-216	Overtime parking in metered parking space	20.00
621-306	Unlawful parking during snow emergency	25.00
621-404	Leaving taxicab unattended	20.00
621-405	Unlawful parking in certain mailbox zones	20.00
621-430(a)	Unlawful use of loading zone in Regional Center by non-eligible vehicle	25.00
621-430(b)	Unlawful use of loading zone in Regional Center--Non-permitted use	25.00
621-430(c)	Unlawful use of loading zone in Regional Center in excess of posted time limits	25.00
621-430(d)	Unlawful obstructing traffic in the Regional Center	25.00
621-430(e)	Unlawful parking in alleys or on certain narrow streets in the Regional Center	25.00
621-501	Unlawful stopping, standing or parking near fire hydrant	75.00
621-502	Unlawful obstruction of fire lane	75.00
631-102	In park after hours--First offense in calendar year	50.00
631-109	Alcohol in park--First offense in calendar year	50.00
645-528	Skateboard or similar play device--First offense in calendar year	50.00
706-105	Water conservation violation--First offense in twelve-month period	100.00
706-105	Water conservation violation--Second offense in twelve-month period	250.00
730-505	Civil zoning violations--First offense in calendar year	50.00
811-214	Alarm business failure to report monitoring information	100.00
811-311	First false alarm in calendar year after a year in which a warning was issued	25.00
811-311	Second false alarm in same calendar year as warning	25.00
811-311	Second false alarm in all other calendar years	50.00
811-311	Third false alarm in same calendar year as warning	50.00

811-311	Third false alarm in all other calendar years	75.00
811-311	Fourth false alarm in same calendar year as warning	75.00
811-311	Fourth false alarm in all other calendar years	100.00
811-704	Second faulty fire alarm in twelve-month period	25.00
811-704	Third faulty fire alarm in twelve-month period	50.00
811-704	Fourth faulty fire alarm in twelve-month period	75.00
<u>875-702</u>	<u>Construction activity without required license, listing or registration – First offense in twelve-month period</u>	<u>250.00</u>
Ch. 895	Horse-drawn carriage violation--First offense in twelve-month period	100.00
Ch. 903	Pedal cab violation--First offense in twelve-month period	100.00
931-305	Excessive parking charge at commercial parking facility--First offense in twelve-month period	100.00
996-77	No monthly taxicab certificate--First offense in twelve-month period	25.00
996-123	Failure to maintain public vehicle for hire--First offense in twelve-month period	25.00
996-124	Taxicab operator dress code violation--First offense in twelve-month period	25.00
996-126	Failure to display licenses or fare schedule--First offense in twelve-month period	25.00
996-138	Taxicab operator exceeding limitation on hours--First offense in twelve-month period	25.00

SECTION 3 4. Article IV of Chapter 391 of the “Revised Code of the Consolidated City and County” regarding non-commercial sound trucks hereby is REPEALED.

SECTION 4 5. Section 536-111 of the “Revised Code of the Consolidated City and County” regarding definitions of terms in chapters 536 and 875, hereby is amended by the deletion of the language that is stricken-through, and by the adoption of the language that is underscored, to read as follows:

Sec. 536-111. Definitions.

Unless otherwise clearly indicated by the context, the terms defined in this section shall have the meanings ascribed to them in this section when used in this chapter and Chapter 875. If a term defined in this section is inconsistent or conflicts with any term defined in a rule promulgated by the fire prevention and building safety commission, then the term, as defined by the fire prevention and building safety commission, will be applied to the rules promulgated by the fire prevention and building safety commission and incorporated by reference under Article VIII of this chapter.

Building equipment means any machine, device, apparatus or material used as part of permanent heating, ventilation, air conditioning, electrical, plumbing sanitary, emergency detection, emergency communication, or fire or explosion systems.

Building standards and procedures means regulations, standards or requirements relative to either construction or the condition of existing structures or building equipment established by or under federal law, state law or city ordinances. Building standards and procedures shall specifically include rules promulgated by the Fire Prevention and Building Safety Commission, adopted herein by reference, and the substantive and procedural provisions of this chapter.

Bureau of construction services means the bureau of construction services of the department of code enforcement.

Bureau of license and permit services or bureau means the bureau of license and permit services of the department of code enforcement.

Class 1 structure means any part of the following:

- (1) A building or structure that is intended to be or is occupied or otherwise used in any part by any of the following:
 - a. The public;
 - b. Three (3) or more tenants; or
 - c. One (1) or more persons who act as the employees of another;
- (2) A site improvement affecting access by persons with physical disabilities to a building or structure described in subdivision (1); or
- (3) Any class of buildings or structures that the Indiana Fire Prevention and Building Safety Commission determines by rules to affect a building or structure described in subdivision (1).

Class 1 structure includes a structure that contains three (3) or more condominium units (as defined in IC 32-1-6-2) or other units that:

- (1) Are intended to be or are used or leased by the owner of the unit; and
- (2) Are not completely separated from each other by an unimproved space.

Class 1 structure does not include a building or structure that:

- (1) Is intended to be or is used only for an agricultural purpose on the land where it is located; and
- (2) Is not used for retail trade or is a stand used for retail sales of farm produce for eight (8) or less consecutive months in a calendar year.

Class 1 structure does not include a Class 2 structure or a vehicular bridge.

Class 2 structure means any part of the following:

- (1) A building or structure that is intended to contain or contains only one (1) dwelling unit or two (2) dwelling units unless any part of the building or structure is regularly used as a Class 1 structure; or
- (2) An outbuilding for a structure described in subdivision (1), such as a garage, barn, or family swimming pool, unless any part of the outbuilding is regularly used as a Class 1 structure.

Class 2 structure does not include a vehicular bridge.

Construction means any of the following:

- (1) Fabrication of any part of an industrialized building system or mobile structure for use at another site;
- (2) Erection or assembly of any part of a Class 1 or Class 2 structure at the site where it will be used;
- (3) Installation of any part of the permanent heating, ventilating, air conditioning, electrical, plumbing, sanitary, emergency detection, emergency communication, or fire or explosion suppression systems for a Class 1 or Class 2 structure at the site where it will be used;
- (4) Work undertaken to alter, remodel, rehabilitate, or add to any part of a Class 1 or Class 2 structure; or

(5) Work undertaken to relocate any part of a Class 1 or Class 2 structure, except a mobile structure.

Cooling system means a system that utilizes a source of energy to accomplish the cooling (not below a constant temperature of sixty (60) degrees Fahrenheit) of more than one (1) partitioned space in a structure or to accomplish the cooling of all or part of a structure by distribution of air through ductwork extending more than twelve (12) inches from the appliance collars, or distribution of liquid or vapor through on-site piping.

Division of inspections means the division of inspections of the department of code enforcement.

Electrical power distribution system means a system for the distribution of electrical current both within and on the exterior of a structure, from an electrical power source to receptacles or equipment that uses electricity; provided, however, that class 2 and class 3 circuits (as defined by the Indiana Electrical Code) shall not be considered part of an electrical power distribution system for purposes of this definition.

Heating system means a system that utilizes a source of energy including, but not limited to, electricity, fossil fuels, geothermal, solar and wind, to accomplish the warming of more than one (1) partitioned space in a structure or to accomplish the warming of all or part of a structure by distribution of air through ductwork extending more than twelve (12) inches from the appliance collars, or distribution of liquid or vapor through on-site piping; provided, however, that a structural design that utilizes largely natural means to cause flow of thermal energy from the sun to accomplish warming of all or part of a structure shall not be considered a heating system for purposes of this definition.

Industrialized building system means any part of a building or other structure that is in whole or in substantial part fabricated in an off-site manufacturing facility for installation or assembly at the building site as part of a Class 1 structure, a Class 2 structure, or another building or structure. However, the term does not include a mobile structure or a system that is capable of inspection at the building site.

Manufactured home has the meaning set forth in 42 U.S.C. 5402 as it existed on January 1, 1984.

Mobile structure means any part of a fabricated unit that is designed to be:

- (1) Towed on its own chassis; and
- (2) Connected to utilities for year-round occupancy or use as a Class 1 structure, a Class 2 structure, or another structure.

The term includes the following:

- (1) Two (2) or more components that can be retracted for towing purposes and subsequently expanded for additional capacity; or
- (2) Two (2) or more units that are separately towable but designed to be joined into one (1) integral unit.

One- or two-family residential structure means a Class 2 Structure.

Ordinary maintenance and repair means construction commonly accomplished in or on an existing structure for the purpose of preventing deterioration or performance deficiencies, maintaining appearance, or securing the original level of performance. Preventing deterioration or deficient performance shall include such activities as caulking windows, painting, pointing bricks, oiling machinery and replacing filters. Maintaining appearance shall include such activities as sandblasting masonry and cleaning equipment. Securing the original level of performance shall include such activities as replacing broken glass, patching a roof, disassembling and reassembling a piece of building equipment, welding a broken part and replacing a component of a heating system (but not a furnace) with an identical component. Ordinary maintenance and repair shall not include any construction that alters the prior or initial capacity, performance specifications, type of required energy or functional features of an existing structure or building equipment.

Partnership or corporation means a partnership, corporation, or other business association, including limited liability company, organized and authorized to do business under the laws of Indiana.

Person means an individual human being.

Plumbing fixture means a plumbing system that has a water supply, a drain or one that includes both a water supply and a drain, such as a water closet, lavatory, bathtub, and sink.

Refrigeration equipment means equipment that utilizes a source of energy to accomplish the cooling of a space or materials to a constant temperature below sixty (60) degrees Fahrenheit, typically for such purposes as food storage, mechanical fabrication, or industrial processing; provided, however, that plug-in electrical appliances such as freezers or icemakers that do not require more than twelve (12) amperes of current at a nominal one hundred fifteen (115) volts shall not be considered refrigeration equipment for purposes of this definition.

Service equipment means the necessary equipment, usually consisting of a circuit breaker or switch and fuses and their accessories, located near the point of entrance of electrical supply conductors to a structure or an otherwise defined area, intended to constitute the main control and means of cutoff of the electrical supply.

Space cooling equipment means equipment that utilizes a source of energy to accomplish the cooling (not below a constant temperature of sixty (60) degrees Fahrenheit) of an unpartitioned space within a structure in which the equipment is located without the use of duct work for the distribution of air extending more than twelve (12) inches beyond the appliance collars or the use of on-site piping for the distribution of liquid or vapor; provided, however, that plug-in electrical appliances such as window air conditioners that do not require more than twelve (12) amperes of current at a nominal one hundred fifteen (115) volts shall not be considered space cooling equipment for purposes of this definition.

Space heating equipment means equipment that utilizes a source of energy including, but not limited to, electricity, fossil fuels, geothermal, solar and wind, to accomplish the warming of an unpartitioned space within a structure in which the equipment is located without the use of air distribution ductwork that extends more than twelve (12) inches beyond the appliance collars or the use of on-site piping for the distribution of liquid or vapor; provided, however, that the following shall not be considered space heating equipment for purposes of this definition:

- (1) Plug-in electrical appliances such as freestanding room heaters that do not require more than twelve (12) amperes of current at a nominal one hundred fifteen (115) volts;
- (2) Self-contained fireplaces; and
- (3) A structural design that utilizes largely natural means to cause flow of thermal energy from the sun to accomplish warming of all or part of a structure.

Structure means that which is built or constructed, such as an edifice or building of any kind, or any piece of work artificially built up or composed of parts formed together in some definite manner, or any part thereof. The word "structure" shall not include improvements such as public roadways or bridges.

SECTION 5 6. Section 536-604 of the "Revised Code of the Consolidated City and County" regarding permit fees for plumbing activity hereby is amended by the deletion of the language that is stricken-through, and by the adoption of the language that is underscored, to read as follows:

Sec. 536-604. Permit fee for plumbing activity.

(a) The permit fees for the following plumbing activity shall be provided in section 131-501 of the Code:

- (1) Installation of a plumbing ~~system~~ fixture in a new structure or in an addition to an existing Class 1 structure;

- (2) Alteration, repair or replacement of plumbing in an existing structure or in an addition to an existing Class 2 structure;
- (3) Initial connection or reconnection of plumbing to a structure that has been removed from one (1) location and is being placed at another location or to a factory constructed building; and
- (4) Plumbing activity limited solely to replacement or installation of one (1) or more water heaters in a structure.

(b) A permit may encompass plumbing activity in one (1) fee category to be accomplished within a single structure, regardless of the number of independent systems in the structure. Notwithstanding the provisions of this section or of section 131-501 of the Code, the amount of the permit fee for such activity shall be the minimum fee or the general rate, whichever is higher.

SECTION ~~6~~ 7. Chapter 536, Article VI of the "Revised Code of the Consolidated City and County," regarding buildings and construction fees, hereby is amended by the addition of the following language under Sec. 536-610 (currently "Reserved"), to read as follows:

Sec. 536-610. Permit fee for general service activity.

The permit fees for the replacement or installation of plumbing, electrical, and/or heating, cooling, or refrigeration parts, fixtures, or systems that:

- (a) Are of the same or similar type not otherwise exempted in section 536-201;
- (b) Do not cause such existing system, fixture, structure, or ductwork to exceed its existing size, strength, capacity or performance;
- (c) Do not require the submission of plans for review by the department;
- (d) Do not require design release by the state of Indiana pursuant to IC 22-15-3;
- (e) Do not require class 1 plan review; and
- (f) Do not typically require more than one (1) inspection by the department prior to completion;

shall be provided in section 131-501 of the Code.

SECTION ~~7~~ 8. Chapter 536, Article VI of the "Revised Code of the Consolidated City and County," regarding buildings and construction fees, hereby is amended by the addition of a NEW Section 536-621, to read as follows:

Sec. 536-621. Green building certification discount.

To encourage the development of certified green building projects, the board of code enforcement is authorized to adopt regulations for the purpose of creating and implementing a policy discounting or offering rebates for permits issued under this chapter for certified green building projects. Such discount or rebate shall not exceed fifty percent (50%) of the total cost of each permit issued. Any such policy or program developed by the director shall expire no later than December 31, 2011.

SECTION ~~8~~ 9. Section 536-709 of the "Revised Code of the Consolidated City and County" regarding general penalties for violations of Chapter 536 hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 536-709. General penalty.

~~(a)~~ Any person, partnership or corporation violating any provision of this chapter, ~~Chapter 875~~ or any building standard or procedure may be subject to a fine in any sum not exceeding two thousand five hundred dollars (\$2,500.00). This penalty shall in no way limit the operation of special penalties for

specific provisions of this chapter, nor shall such special penalties in any way limit the operation of this general penalty.

~~(b) The minimum fine for engaging in construction without a license or listing, when required by this chapter or Chapter 875, is one thousand dollars (\$1,000.00).~~

SECTION 9 10. Section 645-121 of the "Revised Code of the Consolidated City and County" regarding encroachment licenses hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 645-121. Registration required.

(a) Except for those facilities exempted by subsection (b) of this section, each occupant shall file a registration statement described in section 645-122 of this Code.

(b) The registration requirements of this chapter shall not apply to the following:

(1) Newsracks and newsstands, to the extent regulated by Article VIII of this chapter;

(2) Temporary signs, to the extent regulated by the city under section 536-284 or Part 19 of Appendix D of the Code;

(3) Public pay telephones, to the extent regulated by the city under Chapter 936 of this Code;

(4) Carts, to the extent regulated by the city under Chapter 961 of this Code; and

~~(5) Sidewalk cafes, to the extent regulated by the city under Chapter 961 of this Code; and~~

~~(6)(5)~~ Facilities of a commercial mobile service provider as defined in 47 USC § 332(d)(1) to the extent, and only to the extent, that such facilities are located on sites within public rights-of-way that are specifically leased or licensed, exclusively or nonexclusively, to such provider by the city.

(c) Any entity or person having facilities referenced in subsection (b) of this section as well as other facilities within the public rights-of-way shall not be exempt from the registration requirements of this chapter with respect to such other facilities.

SECTION 10 11. Section 645-212 of the "Revised Code of the Consolidated City and County" regarding exemptions to right-of-way user franchise fees hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 645-212. Exemptions.

No public right-of-way user franchise shall be required of the following:

(a) Any public utility (as described in IC 8-1-2-1(a)) or department of public utilities under IC 8-1-11.1-1;

(b) The State of Indiana, including any division, bureau, department, or agency thereof;

(c) The Consolidated City of Indianapolis and Marion County, and any division, department, bureau, or agency thereof;

(d) Any person or entity with authorization from the consolidated city to occupy or use the public rights-of-way under any of the following provisions of this Code:

(1) Chapter 851 - Cable Television Franchises;

(2) Chapter 866 - District Cooling System Franchises; or

(3) Chapter 936 - Pay Telephones; ~~or~~ and

~~(4) Chapter 961—Sidewalk Carts and Cafes; and~~

(e) Any person or entity with a certification from the Federal Communications Commission to provide an open video system.

SECTION 44 12. Sections 645-577 through 645-579 of the “Revised Code of the Consolidated City and County,” inclusive, regarding the term, procedures for appeal, and application or license fees of encroachment licenses hereby are amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 645-577. Term.

All license documents issued by the bureau of license and permit services under this division, unless granted for a lesser determinate period, may be for a term of up to twenty (20) years dating from the date of their issuance.

Sec. 645-578. Appeal from action of department.

Within thirty (30) days after any action of the bureau of license and permit services in granting, refusing to grant or revoking any license required by this division, any person, including the corporation counsel acting for and on behalf of the city, may appeal ~~such action to the board of code enforcement, where the petition shall be heard de novo. Any such appeal shall be perfected by written notice delivered to the secretary of the board of code enforcement within such thirty-day period~~ under the provisions established in Article IV of Chapter 801 of the code.

Sec. 645-579. Application and license fees.

(a) Each petition to maintain an encroachment shall be accompanied by an application fee provided in section 131-501 of the code.

~~(b) In case of a petition for a license required by this division that requests the placing of more than one (1) movable encroachment of the same kind at various locations within the city, one (1) petition may be made to cover more than one (1) similar encroachment.~~

~~(e)~~(b) If the bureau of license and permit services determines that a valuable consideration will be received by the city as a result of the encroachment, the administrator of the bureau may waive the license fee provided in this section. Except for the waiver of license fees for individual newsracks under Article VIII of this chapter, the waiver shall be supported by a written finding identifying the consideration and indicating its value to the city.

SECTION 42 13. Section 645-816 of the “Revised Code of the Consolidated City and County” regarding the location of newsracks hereby is amended by the deletion of the language that is underscored, and by the addition of the language that is underscored, to read as follows:

Sec. 645-816. Placement and location of individual newsracks.

(a) An individual newsrack shall be placed in a location which affords easy, convenient service to pedestrians, but which does not obstruct or interfere with access to abutting properties, and which does not impede or endanger pedestrian, bicycle or vehicle traffic. Accordingly, an individual newsrack shall not be placed as follows:

- (1) Within the modular newsrack district, or within a radius of two hundred fifty (250) feet in any direction from a modular newsrack not located in the modular newsrack district;
- (2) Upon a sidewalk directly in front of an entrance to a building, or adjacent to a designated bus stop zone, loading zone, taxi stand, or handicapped parking space;

- (3) In such a manner as to obstruct sight lines at street intersections, within the triangle area formed by the street curblines and a line connecting points twenty-five (25) feet from the intersection of the curblines extended;
- (4) Within twelve (12) feet of a fire hydrant;
- (5) Within eight (8) feet of any METRO bus shelter, METRO bus sign in the direction of traffic flow, or within twenty (20) feet of any METRO bus sign in the direction against traffic flow;
- (6) Within six (6) feet of an alley, pedestrian crosswalk, curb cut, or ~~sidewalk café~~ location of an area licensed as an encroachment under Article V, Division III of the code;
- (7) Within thirty (30) inches of a street curb or curbline where parking is permitted, or within eighteen (18) inches of a street curb or curbline where parking is not permitted;
- (8) Within two (2) feet of a parking meter, mailbox, bench, light post, planter, or tree (measured from the nearest edge of the tree grate); or
- (9) In such a manner that the remaining free and open sidewalk width is not at least five (5) feet in the Regional Center, or less than three (3) feet in all other areas of the city.

(b) An individual newsrack shall not be placed against a building unless the building manager agrees to such placement in writing, the placement of the newsrack closer to the curb cannot be achieved consistent with the other placement restrictions provided in this section, and such placement does not impede pedestrian traffic.

(c) An individual newsrack shall not be chained or otherwise attached to any tree, bench, sign post or other fixture whatsoever.

(d) It shall be unlawful to own or maintain an individual newsrack upon the public rights-of-way in a manner which does not conform to the requirements of this section.

SECTION 43 14. Section 801-102 of the "Revised Code of the Consolidated City and County" regarding definitions applicable to Chapter 801 hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 801-102. Applicability; definitions.

(a) The provisions of this chapter shall apply to all businesses that are required under the following chapters of this title to be licensed by the license administrator, but shall have no application to businesses that may be franchised or licensed under this title by some authority other than the license administrator, or to other businesses.

(b) As used in those chapters of Title IV of the Code that provide for licensure by the license administrator, the following terms shall have the meanings ascribed to them in this section.

Applicant means the person who makes an application for a license, and who will be the licensee if the license is granted.

Application includes the words "registration form," and means the written form provided by the license administrator upon which a person may apply for a license, or register.

Bureau of license and permit services or *bureau* means the bureau of license and permit services of the department of code enforcement.

Business means and includes any kind of vocation, occupation, profession, enterprise or any other kind of activity (together with any equipment, vehicles or other personal property, and any premises used therein) that is conducted, directly or indirectly, in the city.

Division of inspections means the division of inspections of the department of code enforcement.

Financial interest means:

- (1) Any of the legal rights of ownership or beneficial interest in the profits of a business; or
- (2) Any portion of the legal rights of ownership in any partnership, corporation or other legal entity having any portion of such rights or beneficial interest;

equal to or greater than five (5) percent of the whole. "Financial interest" includes, but is not limited to, that interest held by stockholders and officers of corporations or similar business entities.

Insignia means any certificate, tag, badge, plate, card or emblem that may be issued by the license administrator as evidence that a license has been issued.

License includes the words "registration," "certificate of registration," and "permit," and means the privilege of carrying on a specified business in the city; however, registrations, permits and licenses each may be granted where specifically authorized by this Code.

License administrator means the administrator of the bureau of license and permit services or his/her designee.

Licensee includes the words "registrant" and "permittee," and means the person to whom a current license, registration or permit has been issued, and that person's agents and employees.

Premises means all real estate (including structures and fixtures affixed thereto) used in a business, together with all equipment, vehicles and other personal property used in that business.

Public welfare means the health, safety, prosperity and convenience of the inhabitants of the city, either as a whole or individually.

(c) Under the definitions provided in this section, all the rights, duties, responsibilities, conditions, restrictions, enforcement, and other procedures, including provisions for the suspension or revocation of licenses, which are provided in Title IV of this Code and have general application to licenses and licensees, shall apply with equal force to registrations and registrants, and permits and permittees, unless the context in which the words "license" or "licensee" are used clearly indicates otherwise.

SECTION 44 15. Section 801-206 of the "Revised Code of the Consolidated City and County" regarding the payment of license application fees hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 801-206. Payment of fees; receipt; deposit; exemptions.

(a) Prior to the issuance or renewal of a license, the applicant shall pay all fees required by this Code, as follows:

~~(1) For annual licenses that expire on a calendar date stated in this Code:~~

- a. ~~The license fee for the entire term shall be paid if the license is applied for and issued more than six (6) months prior to the date of expiration;~~
- b. ~~One-half (1/2) of the annual license fee shall be paid if the license is applied for and issued three (3), four (4), or five (5) months prior to the date of expiration; and~~
- c. ~~One-fourth (1/4) of the annual license fee shall be paid if the license is applied for and issued one (1), two (2), or three (3) months prior to the date of expiration;~~

~~(2)(1)~~ For all other licenses, the The license fee for the entire term of the license shall be paid; and

~~(3)(2)~~ For all licenses that relate to real estate, any applicable zoning, building, or fire code inspection fees.

(b) Whenever a license is not issued at the time of application, the applicant shall pay the fee in advance, and the license administrator shall issue a receipt to the applicant for the fee and all other required charges. The receipt shall not be construed as approval of the application.

(c) Except where otherwise expressly provided, all fees and other charges collected by the license administrator under Title IV of this Code shall be remitted to the office of finance and management for deposit in the fire service district fund of the city as miscellaneous revenues, and shall be deemed a reimbursement to the city for its expenses in the issuance of licenses and the enforcement of the provisions of this Code. Notwithstanding the foregoing, all fire inspection fees collected by the license administrator for inspections conducted by the Indianapolis Fire Department shall be remitted to the office of finance and management for deposit in the fire service district fund.

(d) Notwithstanding the provisions of subsection (a) of this section, the license administrator may issue licenses to any not-for-profit organization to conduct a licensed business for a public, charitable, educational, literary, fraternal, religious or other not-for-profit purpose, without the licensee having to pay any license fee or other charges required by this Code.

SECTION 45 16. Section 801-209 of the "Revised Code of the Consolidated City and County" regarding the term of licenses hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 801-209. Term of license.

Unless otherwise provided, the term of a license shall commence as of the date of issuance, and ~~all annual licenses shall expire at 12:01 o'clock a.m. on the first day of January~~ same calendar day of the next following calendar year.

SECTION 46 17. Article III of Chapter 801 of the "Revised Code of the Consolidated City and County" regarding license requirements and conditions hereby is amended by the addition of a NEW Section 801-310, to read as follows:

Sec. 801-310. Inspection Fee.

(a) To compensate the department of code enforcement for the administrative expense incurred by its bureau of license and permit services as listed in this chapter, a fee provided in section 131-501 of the Code may be assessed at the discretion of the license administrator (in accordance with a written policy established by the license administrator) against a person, partnership, or corporation relative to business activity for which:

- (1) The person, partnership, or corporation has obtained a license; and
- (2) Notice was given pursuant to Section 801-213 that an inspection was to be conducted at the applicant business' licensed premises under Section 801-305, and:
 - a. The licensed premises could not be found because the address provided in the license application was incorrect; or
 - b. The licensed premises was not accessible when the department attempted to make the requested inspection at the time agreed upon for the inspection (or if no time was agreed upon, between 8:00 a.m. and 5:00 p.m. Monday through Friday on a day that is not a holiday).

(b) To compensate the department for the administrative expenses incurred by the bureau as listed in this chapter, a fee provided in section 131-501 of the Code may be assessed at the discretion of the license administrator (in accordance with a written policy established by the license administrator) against a person, partnership, or corporation when an inspection reveals that business activity for which a license would be required is occurring and a license was not obtained prior to the time of inspection.

(c) The license administrator, or his or her designee, may at his or her discretion, waive all or part of an administrative fee assessed under this section when such fee was assessed in error or when mitigating circumstances indicate the appropriateness of waiving all or part of the inspection fee.

SECTION 17 18. Section 811-213 of the "Revised Code of the Consolidated City and County" regarding alarm business licenses hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 811-213. License fee and term.

(a) An alarm business license shall be valid for one (1) year and shall be renewable on the first day of January of each year.

(b) The annual license fee for each alarm business shall be ~~two hundred fifty dollars (\$250.00)~~ provided in section 131-501 of the code.

(c) An alarm business license shall be personal to the holder and is not transferable.

SECTION 18 19. Section 831-4 of the "Revised Code of the Consolidated City and County" regarding the registration term and renewal of amusement location registrations hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 831-4. ~~Registration term and renewal; certificate~~ Certificate of registration.

~~(a) Registrations of amusement locations shall be valid for the period of one (1) year, from July 1 to June 30, and shall be renewed automatically by the license administrator and without application for renewal by the registrant, unless at the time of renewal:~~

~~(1) The registration has been revoked or suspended;~~

~~(2) The registration is the subject of administrative or judicial proceedings that have the potential to result in the revocation or suspension of the registration, in which case the registration may continue in effect until the conclusion of the administrative or judicial proceedings; or~~

~~(3) The registrant has not paid the registration fee for the following year.~~

~~(b)~~ When an amusement location is registered, the license administrator shall issue to the registrant a certificate of registration.

SECTION 19 20. Section 831-8 of the "Revised Code of the Consolidated City and County" regarding inspections of registered amusement locations hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 831-8. Inspections; report of violations.

It shall be the duty of every law enforcement officer, and all persons designated by the chief of the Indianapolis metropolitan police department, ~~county sheriff~~ and the department of code enforcement division of inspections, to ~~make frequent inspections of~~ inspect all amusement locations, and amusement machines, and if any gaming, improper or unlawful practices are observed to report the same to the chief of such department ~~or county sheriff~~ for proper action and also to the license administrator, who thereupon may recommend proceedings to revoke the registration.

SECTION 20 21. Section 836-3 of the "Revised Code of the Consolidated City and County" regarding registration terms and inspections of kennel, pet shop, and stable registrations hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 836-3. Annual inspection; registration term; renewal.

(a) Prior to the issuance of a certificate of registration or renewal of registration, the license administrator ~~shall~~ may cause an inspection of the kennel, pet shop or stable to be made by the animal control division to determine whether the applicant or registrant is qualified under this chapter. The animal control division shall report its findings to the license administrator.

~~(b) Each kennel, pet shop or stable registration issued pursuant to this chapter shall be valid for a period of one (1) year. If the license administrator determines that the registrant remains qualified and has operated as required by this chapter, the license administrator shall renew the registration automatically and without application for renewal by the registrant, unless at the time of renewal:~~

- ~~(1) The registration has been revoked or suspended;~~
- ~~(2) The registration is the subject of administrative or judicial proceedings that have the potential to result in the revocation or suspension of the registration, in which case the registration may continue in effect until the conclusion of the administrative or judicial proceedings; or~~
- ~~(3) The registrant has not paid the registration fee for the following year.~~

(b) The registration term shall be in accordance with Section 801-209 of the code.

SECTION 24 22. Article VII of Chapter 875 of the "Revised Code of the Consolidated City and County" regarding fees related to contractors listings hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

ARTICLE VII. FEES AND PENALTIES

Sec. 875-701. Listing, registration and license fees.

(a) The fee for listing a sole proprietor, partnership or corporation as a general contractor; fee for licensing a person, sole proprietor, partnership or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor shall be provided in section 131-501 of the code.

(b) The fee for registration of state licensed plumbing contractors who are sole proprietors or for individuals within a corporation who are eligible to secure permits shall be provided in section 131-501 of the code.

(c) A licensed or listed contractor shall be allowed to specify five (5) names, which includes officers, partners, employees or agents of the contractor, who are eligible to secure permits for the contractor. Additional names may be specified, but a fee for each additional name shall be provided in section 131-501 of the code.

(d) A person who meets the inspector status requirements stated in section 875-108, 875-214, 875-313 or 875-413 is relieved of the requirement of the annual license, listing or registration fees.

Sec. 875-702. Enforcement.

It shall be unlawful for a person, partnership, or corporation to perform any work for which a license, listing, or registration would be required under this chapter without having first obtained such license, listing, or registration. A person's first violation in a twelve-month period shall be subject to an admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Code. All subsequent violations in a twelve-month period shall be subject to the enforcement procedures provided in section 103-3 of the Code, provided that the minimum fine for a second and subsequent violation shall not be less than one thousand dollars (\$1,000.00).

SECTION 22 23. Section 895-3 of the "Revised Code of the Consolidated City and County" regarding the term, fee, and inspection frequency of horse-drawn carriage registrations hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 895-3. Certificate of registration; issuance, and term and renewal.

(a) Upon the receipt of a completed registration form, the qualification of the registrant's coachmen under section 895-6 of this chapter, and the filing of a bond or insurance under section 895-9 of this chapter, the license administrator shall issue a certificate of registration for each registered carriage.

(b) Registrations of horse-drawn carriages under this chapter shall be valid for a period of one (1) year, with an expiration date of June 30 as provided in Section 801-209 of the code.

~~(c) If the license administrator finds that the registrant of a horse-drawn carriage remains qualified and has operated as required by this chapter, the license administrator shall renew the registration automatically and without application for renewal by the registrant, unless at the time of renewal:~~

~~(1) The registration has been revoked or suspended;~~

~~(2) The registration is the subject of administrative or judicial proceedings that have the potential to result in the revocation or suspension of the registration, in which case the registration may continue in effect until the conclusion of the administrative or judicial proceedings; or~~

~~(3) The registrant has not paid the registration fee for the following year.~~

SECTION 23 24. Section 901-3 of the "Revised Code of the Consolidated City and County" regarding the requirement for, term, and renewal of hotel licenses hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 901-3. License required; fee; and term and renewal.

(a) It shall be unlawful for any person to maintain a hotel in the city without first procuring an annual license therefor from the license administrator. The annual fee for this license shall be provided in section 131-501 of the Code.

~~(b) Each license issued pursuant to this section shall be renewed automatically by the license administrator and without application for renewal by the licensee, unless at the time of renewal:~~

~~(1) The license has been revoked or suspended;~~

~~(2) The license is the subject of administrative or judicial proceedings that have the potential to result in the revocation or suspension of the license; or~~

~~(3) The licensee has not paid the license fee for the following year.~~

(b) The term for a license issued under this chapter shall be in accordance with Section 801-209 of the Code.

SECTION 24 25. Section 903-106 of the "Revised Code of the Consolidated City and County" regarding the issuance, term, and renewal of registration certificates for pedal cabs hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 903-106. Registration certificate, and term and renewal.

(a) Upon receipt of a completed registration form, the filing of a bond or insurance under Section 903-104 of this chapter, and the qualification of the registrant's operators under Section 903-105 of this chapter, the license administrator shall issue either a certificate of registration for each registered pedal cab, or a written denial of the registration.

(b) A registration issued under this chapter shall be valid for a period of one (1) year as provided in Section 801-209 of the Code, with an expiration date of December 31; however, if a registrant for any

~~reason fails to operate a registered pedal cab within one hundred and twenty (120) days after the certificate of registration is issued, then such registration shall terminate at that time.~~

~~(c) If the license administrator finds that the registrant remains qualified and has operated as required by this chapter, the license administrator shall renew the registration automatically and without application for renewal by the registrant, unless at the time of renewal:~~

- ~~(1) The registration has been revoked or suspended;~~
- ~~(2) The registration is the subject of administrative or judicial proceedings that have the potential to result in the revocation or suspension of the registration, in which case the registration may continue in effect until the conclusion of the administrative or judicial proceedings; or~~
- ~~(3) The registrant has not paid the registration fee for the following year.~~

SECTION 25 26. Section 931-204 of the "Revised Code of the Consolidated City and County" regarding inspections of commercial parking facilities hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 931-204. Investigation by division of inspections.

Prior to the approval or renewal of a registration under this article, the division of inspections ~~shall~~ may investigate whether the commercial parking facility is in compliance with the provisions of this chapter and other applicable ordinances and statutes, and report its findings to the license administrator.

SECTION 26 27. Section 931-206 of the "Revised Code of the Consolidated City and County" regarding commercial parking facility registration terms hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 931-206. Registration term; ~~renewals~~.

~~(a)~~ All registrations issued under this article shall be valid for a period of one (1) year as provided in Section 801-208 of the Code.

~~(b) Prior to the time a registration under this chapter is renewed, the division of inspections shall inspect the commercial parking facility. If it is determined by the division of inspections that the commercial parking facility is in compliance with the provisions of this chapter, the license administrator shall renew the registration automatically and without application for renewal by the registrant, unless at the time of renewal:~~

- ~~(1) The registration has been revoked or suspended;~~
- ~~(2) The registration is the subject of administrative or judicial proceedings that have the potential to result in the revocation or suspension of the registration, in which case the registration may continue in effect until the conclusion of the administrative or judicial proceedings; or~~
- ~~(3) The registrant has not paid the registration fee for the following year.~~

SECTION 27 28. Section 936-3 of the "Revised Code of the Consolidated City and County" regarding public pay phone license renewal hereby is REPEALED.

SECTION 28 29. Article III of Chapter 951 of the "Revised Code of the Consolidated City and County" regarding second hand auto dealers licenses hereby is REPEALED.

SECTION 29 30. Section 951-405 of the "Revised Code of the Consolidated City and County" regarding pawnbroker license term and renewal hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 951-405. License term; renewal.

(a) Any license issued under this article shall ~~expire on December 31 of the calendar year in which the license was issued~~ be valid for a one (1) year period as provided in Section 801-209 of the Code.

(b) An applicant for renewal of a license issued under this article shall file an application on a form provided by the license administrator and shall pay the annual license fee.

SECTION ~~30~~ 31. Sections 955-2 and 955-3 of the "Revised Code of the Consolidated City and County" regarding registration information and the inspection of vehicles hereby are amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 955-2. Registration information required.

A registration required by this chapter shall be made on a form provided by the license administrator ~~and shall be subject to the approval of the director of the city department of public works, or the director's designated representative,~~ and shall state the number and kind of vehicles to be used to haul waste, rubbish, trash or other discarded materials, the state license plate number of each, and such other information as may be required by the license administrator.

Sec. 955-3. Inspection of vehicles prior to registration.

Vehicles to be used by a registrant to haul waste, rubbish, trash or other discarded materials shall be subject to inspection, if required, ~~by the director of the city department of public works, or the director's designated representative~~ in a manner established by the license administrator, before a certificate of registration may be issued under this chapter.

SECTION ~~34~~ 32. Section 955-6 of the "Revised Code of the Consolidated City and County" regarding the license term of waste, rubbish, and trash haulers hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 955-6. Registration term; renewal.

A registration under this chapter shall be valid for a period of one (1) year as provided in Section 801-209 of the Code, ~~from the first day of July through the last day of June of the following year, and shall be renewed automatically by the license administrator and without application for renewal by the registrant, unless at the time of renewal:~~

- ~~(1) The registration has been revoked or suspended;~~
- ~~(2) The registration is the subject of administrative or judicial proceedings that have the potential to result in the revocation or suspension of the registration, in which case the registration may continue in effect until the conclusion of the administrative or judicial proceedings; or~~
- ~~(3) The registrant has not paid the registration fee for the following year.~~

SECTION ~~32~~ 33. Section 961-205 of the "Revised Code of the Consolidated City and County" regarding the renewal fee for vendor cart licenses hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 961-205. Renewal fee of license.

- ~~(a) This section shall not apply to special event licenses, which are not renewable.~~
- ~~(b) Any qualified licensee not in violation of this chapter may annually renew the license for an additional year upon payment of an annual fee in an amount provided in section 131-501 of the code.~~

Upon expiration, a license may only be renewed by the filing of a new application for a license in accordance with the provisions of Section 961-202 of the code.

SECTION ~~33~~ 34. Section 961-503 of the "Revised Code of the Consolidated City and County" regarding special event license fees hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 961-503. Special event licenses; fee.

(a) With the assistance and recommendation of the special event sponsor, the license administrator is authorized to issue special event licenses, and may:

- (1) Designate a specific location for each licensee under this article to engage in licensed activities pursuant to this section; and
- (2) Approve a list of the food, frozen food, flowers and merchandise that licensees under this article are authorized to sell.

(b) The fee for a special event license application shall be provided in section 131-501 of the code. This fee shall not be refundable, even if such application is denied, and shall be paid in addition to any other fees required by this section.

~~(b)(c)~~ The fee for a special event license shall be provided in section 131-501 of the code; however, if authorization of the special event under section 961-502 of the Code is conditioned upon the Indianapolis Fire Department's apparatus or personnel being present at the special event, then the fee for a special event license shall be increased as provided in section 131-501 of the code, which additional amount shall be deposited in the fire service district fund of the city as miscellaneous revenues.

~~(c)(d)~~ Notwithstanding any other provision of this Code, licensees under this article shall be permitted to engage in licensed activities upon city property within the geographic boundaries during the term of the special event, subject to any applicable conditions or restrictions imposed under this article or sections 961-211 and 961-212.

SECTION ~~34~~ 35. Article VII of Chapter 961 of the "Revised Code of the Consolidated City and County" regarding sidewalk café licenses hereby is REPEALED.

SECTION ~~35~~ 36. Section 987-101 and 987-102 of the "Revised Code of the Consolidated City and County" regarding transient merchant licenses hereby are amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 987-101. Definitions.

As used in this article, the following terms shall have the meanings ascribed to them in this section.

Outdoor sales location means and includes any area outside a permanent building or structure, and which is located either:

- (1) In the public right-of-way; or
- (2) Upon property not owned or leased for a term of one (1) year or more by the person engaged in the sale of goods, where the sale of goods occurs immediately adjacent to, or is visible from, the public right-of-way.

Sale of goods means and includes the display, offer, or sale of merchandise of any kind by a person who occupies or uses any fixed location of unimproved real property, temporary or mobile building or structure, vehicle, cart, stand or table for the purpose of displaying, offering, or selling such merchandise; however, a sale from a vending machine shall not be considered a sale of goods.

Sale of services means and includes the offer or sale of services of any kind by a person who occupies or uses any fixed location of unimproved real property, temporary or mobile building or structure, vehicle, cart, stand or table for the purpose of offering or selling such services.

Transient merchant activity means the sale of goods or the sale of services from an outdoor sales location.

Sec. 987-102. License required; fee; exempt activities.

(a) It shall be unlawful for a person to engage in transient merchant activity in the city without first having obtained a license therefor from the license administrator. The annual fee for registration of transient merchant activity shall be provided in section 131-501 of the code.

(b) Notwithstanding the provisions of subsection (a) of this section, a person is not required to obtain a license under this article if the person's transient merchant activity consists solely of the following:

- (1) Transient merchant activity that is authorized by a license obtained under this article by another person;
- (2) The operation of a licensed vendor cart, ~~registered sidewalk cafe, or any~~ other activity authorized under Chapter 961 of the Code, or any activity associated with an encroachment license issued under Chapter 645 of the Code;
- (3) The operation of a food vending vehicle that meets the requirements of section 611-501 et seq. of the Code;
- (4) The sale of goods or services to benefit a charitable cause, organized and conducted by an organization that is exempt from the Indiana gross retail tax under IC 2.5-5-26, provided that:
 - a. The sale of goods or services occurs for no more than thirty (30) days in a calendar year;
 - b. No more than two (2) persons engage in the sale of goods or services at any one (1) outdoor sales location; and
 - c. Each person who engages in the sale of goods or services has in his or her possession a card or letter that identifies that person as being authorized by the organization to engage in such sales;
- (5) A garage sale, as provided under Article II of this chapter;
- (6) An auction of goods or services that originate primarily on the property where the auction occurs, and that were not moved to the property from another location for the purpose of sale at the auction, conducted by an auctioneer licensed under IC 25-6.1;
- (7) The sale of goods or services on commercial property that occurs during the regular hours of operation of the business located on the property; or
- (8) The sale of newspapers.

(c) If the transient merchant activity described in subsections (b)(4) and (b)(7) of this section occurs on private property, it shall not be exempt from the license requirement unless the person engaged in the transient merchant activity has written consent, dated and signed by the property owner, to use the property.

SECTION ~~36~~ 37. Sections 996-24 and 996-25 of the "Revised Code of the Consolidated City and County" regarding attachments to and the fee associated with public vehicle for hire operator license applications hereby are amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 996-24. Attachments to the application.

Each application shall be accompanied by:

- (1) Two (2) recent photographs of the applicant in a format prescribed by the license administrator, designed to be easily attachable to the license;
- (2) A complete set of the applicant's fingerprints in a format prescribed by the license administrator;
- (3) A copy of the applicant's Indiana driving record certified within ten (10) days prior to submission of the application;
- (4) A copy of the applicant's limited criminal history from the Indiana State Police and from the Indianapolis metropolitan police department, as provided by ~~IC 5-2-5-5~~ IC 10-13-3; and
- (5) Such additional items as the license administrator deems necessary.

Sec. 996-25. Fee.

The ~~biannual~~ annual fee for a license to operate a public vehicle for hire shall be provided in section 131-501 of the code.

SECTION ~~37~~ 38. Sections 996-30 through 996-33 of the "Revised Code of the Consolidated City and County," inclusive, regarding the license period and renewal for public vehicle for hire operator's licenses hereby are amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 996-30. License period term.

A license to operate a public vehicle for hire shall be valid for a term of one (1) year until the renewal date for that license occurring more than one (1) year, but not more than two (2) years, after the date of issuance as provided in Section 801-209 of the code.

Sec. 996-31. Renewal date.

The ~~biannual~~ renewal date for a license to operate a public vehicle for hire shall be the last day of the month of the birthday of the licensee according to the provisions of Section 801-209 of the code.

Sec. 996-32. Renewal.

~~The biannual renewal of a license to operate a public vehicle for hire shall be granted upon the same terms and conditions as the original license.~~ Pending action by the license administrator on the an application for renewal of an existing public vehicle for hire license, the applicant shall be permitted to operate a public vehicle for hire under the license issued for the previous licensing period, unless the license administrator enters an order to the contrary.

SECTION ~~38~~ 39. Section 996-51 of the "Revised Code of the Consolidated City and County" regarding the renewal date for public vehicle for hire licenses hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 996-51. Renewal date.

The renewal date for a license for a public vehicle for hire shall be the last day of June of each year according to the provisions of Section 801-209 of the code.

SECTION ~~39~~ 40. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 40 41. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 41 42. ~~This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14 or on August 1, 2010, whichever last occurs. SECTION 1 and SECTION 3 through SECTION 41, inclusive, of this ordinance shall be in effect from and after (a) its passage by the Council and compliance with Ind. Code § 36-3-4-14 or (b) August 1, 2010, whichever last occurs.~~

SECTION 43. SECTION 2 of this ordinance shall be in effect from and after (a) its passage by the Council and compliance with Ind. Code § 36-3-4-14 or (b) January 1, 2011, whichever last occurs.

The foregoing was passed by the City-County Council this _____ day of _____, 2010, at _____ p.m.

ATTEST:

Ryan Vaughn
President, City-County Council

Melissa Thompson
Clerk, City-County Council

Presented by me to the Mayor this _____ day of _____, 2010, at 10:00 a.m.

Melissa Thompson
Clerk, City-County Council

Approved and signed by me this _____ day of _____, 2010.

Gregory A. Ballard, Mayor